

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

UNITED STATES OF AMERICA,

VS.

CRIMINAL ACTION NO. 4:07CR140-P-B

**JOSE SANTOS GONZALES AND
TARRASCO STEEL COMPANY, INC.,**

DEFENDANTS.

ORDER CONTINUING TRIAL

This matter comes before the court upon Defendants' seventh motion for continuance [75].

After due consideration of the motion, the court finds as follows, to-wit:

Trial is currently set for July 7, 2008. Defense counsel requests additional time to review additional forthcoming, discoverable documents from the Government that he avers had not been provided previously and that he intends to file a motion to exclude those documents.

The Government has no objection to the continuance.

The above circumstances enable the Court to exclude, pursuant to 18 U.S.C. section 3161(h)(8)(A), the period of delay from July 7, 2008 until the new trial date to be set in this matter. The time is excludable under subsection (h)(8)(A) because, given the circumstances described above, a continuance is necessary to afford the defendants' counsel more time to adequately prepare for his clients' defense. As such, the ends of justice served by the granting of this continuance outweigh the best interests of the public and the defendants in a speedy trial.

IT IS THEREFORE ORDERED AND ADJUDGED that:

- (1) Defendants' Motion for Continuance [75] is **GRANTED**;
- (2) Trial of this matter is continued **as to both defendants** until Monday, September 8, 2008

at 9:00 a.m. in the United States Courthouse in Greenville, Mississippi;

(3) The delay from July 7, 2008 to September 8, 2008 is excluded from Speedy Trial Act considerations as set out above;

(4) The deadline for filing pretrial motions is August 18, 2008; and

(5) The deadline for submitting a plea agreement is August 25, 2008.

SO ORDERED this the 17th day of June, A.D., 2008.

/s/ W. Allen Pepper, Jr.

W. ALLEN PEPPER, JR.

UNITED STATES DISTRICT JUDGE